

## SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

### PART 1527—PATENTS, DATA, AND COPYRIGHTS

#### Subpart 1527.4—Rights in Data and Copyrights

Sec.

1527.404 Basic rights in data clause.

1527.409 Solicitation provisions and contract clauses.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

#### Subpart 1527.4—Rights in Data and Copyrights

##### **1527.404 Basic rights in data clause.**

The Contracting Officer shall insert in the *Limited Rights Notice* when using Alternate II of FAR 52.227-14 the following purposes for disclosure of limited data outside the Government.

(a) Use (except for manufacture) by support service contractors;

(b) Evaluation by nongovernment evaluators;

(c) Use (except for manufacture) by other contractors participating in the Government's program of which the specific contract is a part, for information and use in connection with the work performed under each contract;

(d) Emergency repairs or overhaul work;

(e) Release to a foreign government, or instrumentality thereof, as the interests of the United States Government may require, for information or evaluation, or for emergency repair or overhaul work by such government.

[55 FR 48623, Nov. 21, 1990]

##### **1527.409 Solicitation provisions and contract clauses.**

The Contracting Officer shall insert the clause in 1552.227-76 in all Superfund solicitations and contracts in excess of the small purchase limitation and, as appropriate, in small purchases. The clause may be used in

other contracts if considered necessary by the Contracting Officer.

[59 FR 18620, Apr. 19, 1994]

### PART 1529—TAXES

#### Subpart 1529.3—State and Local Taxes

1529.303 Application of State and local taxes to Government contractors and subcontractors.

#### Subpart 1529.4—Contract Clauses

1529.401 Domestic contracts.

1529.401-70 Cost-reimbursable type contracts.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 54 FR 49998, Dec. 4, 1989, unless otherwise noted.

#### Subpart 1529.3—State and Local Taxes

##### **1529.303 Application of State and local taxes to Government contractors and subcontractors.**

Contractors are responsible for determining the availability of State and local tax exemptions and obtaining such exemptions, if available, unless the Contracting Officer determines under FAR 31.205-41(b)(3) that the administrative burden outweighs the corresponding benefit. Contractors are responsible for ensuring that subcontractors also seek and obtain such exemptions, if available.

#### Subpart 1529.4—Contract Clauses

##### **1529.401 Domestic contracts.**

##### **1529.401-70 Cost-reimbursable type contracts.**

Contracting Officers shall insert the clause at 1552.229-70 in all solicitations and contracts when it is anticipated a cost-reimbursable type contract shall

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be used or a contractor or subcontractor shall be reimbursed for materials at cost.

### PART 1530—COST ACCOUNTING STANDARDS

#### Subpart 1530.3—CAS Contract Requirements [Reserved]

### PART 1531—CONTRACT COST PRINCIPLES AND PROCEDURES

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### PART 1532—CONTRACT FINANCING

Sec.

1532.000 Scope of part.

#### Subpart 1532.1—General

1532.102 Description of contract financing methods.

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#### Subpart 1532.4—Advance Payments [Reserved]

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#### Subpart 1532.9—Prompt Payment

1532.908 Contract clauses.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 49 FR 8858, Mar. 8, 1984, unless otherwise noted.

#### 1532.000 Scope of part.

This part implements and supplements FAR part 32 and provides policies and procedures for contract financing and other payment matters. This includes—

- (a) Progress payments;
- (b) Advance payments;
- (c) Prompt Payment Act implementation;
- (d) Assignment of claims; and
- (e) Selected clauses and forms.

#### Subpart 1532.1—General

##### 1532.102 Description of contract financing methods.

Progress payments based on a percentage or stage of completion are authorized for use as a payment method under EPA contracts or subcontracts for construction and alteration or repair of buildings, structures, or other real property.

[60 FR 38505, July 27, 1995]

##### 1532.111 Contract clauses.

The Contracting Officer shall insert the clause at 1552.232-73, Payments—Fixed Rate Services Contract, in solicitations and indefinite delivery/indefinite quantity contracts when services are being acquired on a fixed-rate basis.

##### 1532.170 Forms.

(a) EPA Form 1900-10 Contractor's Cumulative Claim and Reconciliation, at 1553.232-74, shall be used for an accounting of the cumulative charges and costs for cost-reimbursement contracts from inception of the contract to completion. It shall be submitted by the Contractor upon submission of the completion voucher.

(b) EPA Form 1900-68, Notice of Contract Costs Suspended and/or Disallowed, at 1553.232-75, shall be inserted in all cost-reimbursement type and fixed-rate type contracts.

[49 FR 8858, Mar. 8, 1984, as amended at 61 FR 29317, June 10, 1996]

#### Subpart 1532.4—Advance Payments [Reserved]

#### Subpart 1532.8—Assignment of Claims

##### 1532.805 Procedure.

##### 1532.805-70 Forms.

(a) EPA Form 1900-3, Assignee's Release, at 1553.232-70 is required to be submitted by the assignee for cost-reimbursement contracts prior to final payment under the contract.

(b) EPA Form 1900-4, Assignee's Assignment of Refunds, Rebates, Credits, and Other Amounts, at 1553.232-71 must